

availability of these stocks for subsistence uses, and would result in the least practicable impact on the stocks, NMFS has determined that the requirements of section 101(a)(5)(D) have been met and the authorization can be issued.

Authorization

For the above reasons, NMFS has issued an incidental harassment authorization for approximately 30 days between June 10 and July 5, 1996 for the above described experiment provided the above mentioned mitigation, monitoring and reporting requirements are undertaken.

Dated: June 7, 1996.

Patricia A. Montanio,
Deputy Director, Office of Protected
Resources, National Marine Fisheries Service.
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[I.D. 060796C]

Endangered Species; Permits

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of modification 3 to permit 900 (P770#66), modification 2 to permit 946 (P770#68), and modification 1 to permit 905 (P45L).

SUMMARY: Notice is hereby given that NMFS has issued modifications to permits that authorize takes of Endangered Species Act-listed species for the purpose of scientific research, subject to certain conditions set forth therein, to the Coastal Zone and Estuarine Studies Division of the Northwest Fisheries Science Center, NMFS at Seattle, WA (CZESD) and the National Biological Service at Cook, WA (NBS).

ADDRESSES: The applications and related documents are available for review in the following offices, by appointment:

Office of Protected Resources, F/PR8, NMFS, 1315 East-West Highway, Silver Spring, MD 20910-3226 (301-713-1401); and

Environmental and Technical Services Division, 525 NE Oregon Street, Suite 500, Portland, OR 97232-4169 (503-230-5400).

SUPPLEMENTARY INFORMATION: The modifications to permits were issued under the authority of section 10 of the Endangered Species Act of 1973 (ESA) (16 U.S.C. 1531-1543) and the NMFS regulations governing ESA-listed fish

and wildlife permits (50 CFR parts 217-222).

Notice was published on February 27, 1996 (61 FR 7241) that an application had been filed by CZESD (P770#66) for modification 3 to scientific research permit 900. Modification 3 to permit 900 was issued on June 5, 1996. Permit 900 authorizes CZESD a direct take of juvenile, threatened, naturally-produced and artificially-propagated, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) and an incidental take of juvenile, threatened, Snake River fall chinook salmon (*Oncorhynchus tshawytscha*) and juvenile, endangered, Snake River sockeye salmon (*Oncorhynchus nerka*) associated with three scientific research studies. For modification 3, CZESD is authorized to supplement their annual take of ESA-listed fish associated with Study 1, a dam and reservoir passage survival study, with juvenile, ESA-listed, Snake River spring/summer chinook salmon captured as an indirect take by NBS under the authority of scientific research permit 817. Permit 817 authorizes NBS takes of ESA-listed juvenile fish associated with a fall chinook salmon study. In addition, CZESD is authorized a take of ESA-listed juvenile fish associated with an additional project designed to evaluate the new surface collector at Lower Granite Dam on the Snake River in WA and to release the ESA-listed juvenile fish to be captured and handled for Study 1 in the free-flowing Snake River upstream of Lower Granite Reservoir. Modification 3 is valid for the duration of Study 1 of the permit. Study 1 of permit 900 expires on December 31, 1998.

Notice was published on February 27, 1996 (61 FR 7241) that an application had been filed by CZESD (P770#68) for modification 2 to scientific research permit 946. Modification 2 to permit 946 was issued on June 4, 1996. Permit 946 authorizes CZESD takes of juvenile, threatened, naturally-produced and artificially-propagated, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*); juvenile, threatened, Snake River fall chinook salmon (*Oncorhynchus tshawytscha*); and juvenile, endangered, Snake River sockeye salmon (*Oncorhynchus nerka*) associated with two survival studies related to barge transportation. For modification 2, CZESD is authorized an increase in their takes of juvenile, endangered, Snake River sockeye salmon to adjust for an increase in the anticipated annual juvenile sockeye salmon outmigration numbers. Annual sockeye salmon outmigration numbers are expected to be higher due to greater

numbers of smolt releases in and near Redfish Lake from the Idaho Department of Fish and Game's captive broodstock program. Modification 2 is valid for the duration of the permit. Permit 946 expires on December 31, 1999.

Notice was published on February 29, 1996 (61 FR 7776) that an application had been filed by NBS (P45L) for modification 1 to scientific research permit 905. Modification 1 to permit 905 was issued on June 6, 1996. Permit 905 authorizes a direct take of juvenile, threatened, Snake River fall chinook salmon (*Oncorhynchus tshawytscha*) and an indirect take of juvenile, threatened, Snake River spring/summer chinook salmon (*Oncorhynchus tshawytscha*) associated with four dam and reservoir passage survival studies on the Snake River. For modification 1, NBS is authorized to expand their sampling locations to include all of the Snake River dams and McNary Dam on the Columbia River. The sampling location expansion is needed to acquire the desired sample size of juvenile ESA-listed fish currently authorized to be taken for electrophoretic genetic research. NBS is also authorized to capture, handle, and release a greater number of ESA-listed juvenile fish: 1) to obtain non-lethal tissue samples from run-at-large juvenile spring chinook salmon and fall chinook salmon yearlings for genetic analysis, and 2) to acquire non-lethal gill samples from juvenile fall chinook salmon for a new study designed to relate passage survival to physiological development. Modification 1 is valid for the duration of the permit. Permit 905 expires on December 31, 1996.

Issuance of the modifications, as required by the ESA, was based on a finding that such actions: (1) Were requested in good faith, (2) will not operate to the disadvantage of the ESA-listed species that are the subject of the permits, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA and the NMFS regulations governing ESA-listed species permits.

Dated: June 7, 1996.

Robert C. Ziobro,
Acting Chief, Endangered Species Division,
Office of Protected Resources, National
Marine Fisheries Service.

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